

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/782,570 Confirmation No.: 5780  
Applicant(s): Carozzi et al.  
Filed: February 19, 2004  
Art Unit: 1638  
Examiner: Anne R. Kubelik  
Title: AXMI-007, A DELTA-ENDOTOXIN GENE AND METHODS FOR ITS USE

Docket No.: 045600/274144  
Customer No.: 00826

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INTERVIEW SUMMARY**

Date: December 16, 2008; 2:00 p.m. (e.s.t.)

Type of Interview: In-person at USPTO

Exhibits Displayed: None

Parties Present: W. Murray Spruill for Applicant;  
Destiny M. Davenport for Applicant;  
Nicholas Duck for Assignee  
Brian Vande Berg for Assignee  
Examiner Anne Kubelik

Claims Discussed: Independent claim 1

Substance of Interview: Applicant discussed the rejection of the claims under 35 U.S.C. § 112, first paragraph. Examiner suggested that claims drawn to nucleic acids encoding proteins with 95% or higher identity may overcome the rejections. The response to the Request for Information was also discussed. Examiner discussed search strategy in view of the information that was provided in response to the Request. Applicant and Examiner discussed strategies for overcoming potential obviousness rejections if any are raised after the search. Examiner

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provided further general comments and recommendations for similar applications filed in the future.

Agreement Reached: N/A.

Respectfully submitted,

/destiny m. davenport/

Destiny M. Davenport  
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